

Minutes  
**Labor-Management Advisory Council on  
Workers' Compensation**

February 23, 2007

1:30-2:30 pm

**Advisory council members present:** Lt. Governor John Bohlinger, Jerry Keck, Doug Buman, Bill Dahlgren, Annette Hoffman, Riley Johnson, Don Judge, Dan Lee, Jason Miller, Connie Welsh, Bob Worthington.

- I. Approval of Agenda and Meeting Minutes  
The minutes for the February 16<sup>th</sup> conference call were passed with the minor correction of removing Dan Lee from the list of attendees.
- II. Status of Department Bills
  - HB 65, Revise uninsured employer's subsequent injury fund – To be scheduled for hearing after transmittal; already acted on
  - HB 72, Revise professional employer organization law - To be scheduled for hearing after transmittal; already acted on
  - SB 108 – Revise work comp laws-ind. contractors-med. fees-impaired insurers-etc. - To be scheduled for hearing after transmittal; already acted on
- III. Status of Other Workers' Compensation Bills
  - SB 214, Independent contractor exemption for certain corporate officers – To be scheduled for hearing after transmittal; already acted on
  - SB 426, Revise attorney fees for medical benefits in work comp cases – Bill was passed out of the Judiciary Committee and is awaiting floor action; no action requested
  - SB 444, Revise APRN treating of injured workers – Transmitted to the House; action requested from the Advisory Council but no action taken
  - SB 474, Revising State Fund's rate-setting to be under insurance code – Tabled in committee; no action requested
  - SB 511, Regulate work comp claims examiners - Tabled in committee; no action requested

Jerry and Diana discussed the following options that may be implemented to address the concerns brought forth in SB 511:

  - The Employment Relations Division (ERD) may mail the benefits packet directly to claimants (instead of or in addition to mailing by insurers)
  - Setting up a toll-free number for information
  - ERD being given statutory authority to track complaints against claims examiners and provide summaries of complaints to the insurers

Senator Vicki Cocchiarella, chair of the Business, Labor and Economic Affairs committee, has requested fiscal information on these options by the first week of March.

  - HB 738, Revise work comp law for claim closure and medical services rates – Passed out of committee – awaiting floor action; no action requested; Jerry reviewed amendments to the bill

- HB 785, Exempting certain athletes from workers' compensation – Passed out of committee – awaiting floor action; no action requested
  - HB 786, Exempt from work comp law certain motor carriers – Passed out of committee – awaiting floor action; no action requested
- IV. Pending Bill Requests  
LC 1347, Revise definition of wages for work comp re: overtime pay – No hearing; probably dead
- V. Agenda Items for Advisory Council Meeting in May  
The next onsite meeting was scheduled for afternoon of May 16, pending coordination with the NCCI State Advisory Forum and length of Advisory Council meeting agenda.
- Summary of insurer financial results by Mari Kindberg of the State Auditor's Office
  - Summary of legislative action
  - Safety/incident rate modeling
  - Workers' compensation exemptions and cost shifting
- VI. Public Comment  
Jeannine Brown addressed the Advisory Council.
- VII. Next Steps  
No Advisory Council conference call on March 2 due to the transmittal break for the Legislature  
Next conference call: Friday, March 9, 1:30 – 3:00 pm  
Next Advisory Council meeting (onsite) – May 16 (specific time and location to be determined)  
Jason Miller and Bob Worthington will be composing an informational article on the Labor-Management Advisory Council.

For the complete discussions, download or listen online to the meeting recording at <http://erd.dli.mt.gov/wcstudyproject/labormngmntadvisorycouncilmeetinginfo.asp>